

Appendix C

REP A- EG validated on grounds or PPN and PCD

From: REDACTED

Sent: 28 May 2026 15:54

To: REDACTED

Subject: REDACTED

Dear REDACTED

Thank you for your response.

Please accept this revised representation in relation to the licensing objectives of prevention of public nuisance, prevention of crime and disorder and public safety.

I am happy for the representation, including my personal details, to be shared with the applicant.

The application seeks late night refreshment until 05:00 every day from premises currently operating as a sit-down family restaurant which appears to trade only until approximately 20:00.

The application itself states:

“Currently a sit down waiter service restaurant. Although we are looking to open late night for takeaway only.”

This represents a substantial operational change from a seated restaurant into a late-night takeaway operation during peak dispersal hours within one of Brighton city centre’s busiest late-night environments.

My concern is that the application provides insufficient evidence demonstrating how the licensing objectives will be upheld during operation until 05:00.

In particular, there appears to be very limited operational detail regarding:

- Customer dispersal management
- External queue management
- Delivery rider arrangements
- Security staffing
- CCTV and incident management
- Smoking/vaping congregation outside the premises

- Litter control and cleansing arrangements
- Procedures for managing late-night customer activity during peak dispersal periods

The physical layout of the premises also raises concern. The unit is relatively small and designed around seated dining, with tables surrounding the serving counter. The layout does not appear naturally suited to high-volume takeaway demand, queueing or delivery rider collection activity during peak overnight hours.

There is therefore a genuine concern that customers waiting for orders may increasingly congregate externally on the pavement during periods of higher late-night demand, contributing to noise, disturbance and public nuisance.

West Street already experiences very high levels of late-night pedestrian activity associated with the wider night-time economy and functions as a major route between entertainment venues, taxi ranks and Brighton railway station.

The application also appears to represent a materially different operational model to that previously assessed for the premises in relation to extraction and plant operation. Existing assessments submitted for the premises were based upon plant operation only between 07:00 and 23:00. No evidence appears to have been provided demonstrating how overnight operation until 05:00 would impact nearby occupiers in terms of noise and public nuisance during the most sensitive overnight hours when background noise levels are lower.

This is particularly relevant to the licensing objectives of prevention of public nuisance and public safety.

Of further relevance is the recent refusal of a late-night licence application for REDACTED located opposite the premises earlier this year. A consistent and balanced approach should therefore be taken when considering further expansion of late-night takeaway activity within this immediate area.

For the reasons above, I respectfully request that the application be refused.

Kind regards,
REDACTED

ADDITIONAL INFORMATION FROM REP A

From: REDACTED
Sent: 02 June 2026 10:14
To: EHL Licensing REDACTED

Subject: Further Representation – Wimpy X Brighton, 34 West Street, Brighton – 1445/3/2026/01575/LAPREN

Dear **REDACTED**,

Thank you for your earlier email and for accepting my revised representation.

I appreciate that planning and licensing are separate regimes. However, I would be grateful if the following supplementary comment could be included within the papers presented to the Licensing Panel.

The applicant seeks permission to provide late night refreshment until 05:00 every day from premises operating as a hot food restaurant serving burgers, fries and other cooked food products.

Such operation necessarily relies upon extraction systems, ventilation equipment and associated plant.

The application provides no explanation as to how food preparation would take place during the proposed licensed hours, nor how the operation could function in practice until 05:00.

Members may therefore wish to ask the applicant directly:

- How burgers, fries and other cooked food products will be prepared until 05:00;
- What extraction, ventilation and associated plant will be operating during those hours;
- What evidence has been provided that such operation can take place without causing public nuisance; and
- Why the application contains no meaningful assessment of the operational impacts associated with a 05:00 takeaway operation.

This is particularly relevant given that the application seeks to transform a family-style sit-down restaurant, currently operating until approximately 20:00, into a takeaway operation trading throughout the most sensitive overnight hours.

The application appears to assume that a licence can simply be granted and implemented. However, the applicant has not explained how the proposed operation can actually function in practice throughout the hours sought.

If the applicant cannot clearly explain how hot food will be prepared and served until 05:00, it is difficult to see how Members can be satisfied that the licensing objectives, particularly the prevention of public nuisance and public safety, will be properly promoted.

Should Members nevertheless be minded to grant the application, I would respectfully request that a condition be attached to any licence stating that the extended late-night refreshment hours shall not be exercised unless and until all necessary consents, approvals and variations required for the lawful operation of the premises during those hours have first been obtained.

Without such a condition, the Licensing Authority risks granting permission for a form of operation which may not currently be capable of being lawfully implemented in practice.

Such a condition would not prevent the applicant from operating should all necessary approvals be secured. However, it would ensure that the licensing and regulatory regimes operate consistently and would avoid the prospect of a licence being granted for an operational model which cannot immediately be exercised.

In the absence of such a condition, neighbouring occupiers could be subjected to uncertainty and potential enforcement disputes, whilst public confidence in the consistency of the regulatory process may be undermined.

I would be grateful if this supplementary representation could be placed before Members should the application proceed to determination.

Kind regards,

REDACTED

REP B – EG validated on grounds of PCD and PPN

REDACTED

Date: 8th June 2026

Licensing Authority

Our

Brighton & Hove City Council

Ref: **REDACTED**

Hove Town Hall

Email:

Norton Road

Hove, BN3 3BQ

Dear **REDACTED**

Licensing Act 2003

Representation to the application for a New Premises Licence - 2026/01575/LAPREN

Wimpy X Brighton, 34 West Street, Brighton, BN1 2RE

I refer to the application made by SPH Capital Limited for a new Premises Licence to be granted for the above premises. The Licensing Team, in its role as Responsible Authority, has concerns about this application and therefore I am submitting this representation on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance and to uphold our Statement of Licensing policy (SoLP). [Statement of Licensing Policy 2026](#)

The applicant has applied for a new Premises Licence for late night refreshment every day from 11.00pm to 05.00am. In the application the premises is described as follows:
“Currently a sit down waiter service restaurant. Although we are looking to open late night for takeaway only.”

This premises falls within the Licensing Authority’s City Safety Area (CSA). The CSA is an area of special concern to the licensing authority because of the high levels of crime and disorder, and nuisance experienced within it (SoLP 3.1.2). This is evidenced by the police data, which is attached to Appendix E of the SoLP.

Before submitting an application within the CSA, applicants are expected to consult with the Responsible Authorities and seek advice on which measures are appropriate to include in the proposed operating schedule (SoLP 3.2.4). The applicant did not undertake consultation with

the Licensing Authority before submitting this application although I can confirm that a previous application was submitted in February 2026 which was deemed invalid (by the same applicant). The applicant was contacted via email with reasons for the application being rejected, advising on what we would expect to see on resubmission and directing the applicant to our Statement of Licensing Policy (SoLP). It is concerning that the applicant has resubmitted the application for the same hours without reference to this (please see email attached at Annex 1).

The SoLP goes on to say that applications within the CSA will be expected to include in the proposed operating schedule robust additional measures (as appropriate to the nature and location of the venue) which are set out in Appendix A. [Statement of Licensing Policy Appendix A - Licensing Best Practice Measures](#) These best practice measures place a special emphasis on safety. (SoLP 3.2.4)

On looking at the application form, particularly section M (licensing objectives), I acknowledge that the applicant has proposed some conditions to support the licensing objectives.

However, there is no mention of our SoLP or the premises location within the CSA and with the late hours applied for I would expect to see more robust conditions such as those in Appendix A of the SoLP.

The Council's SoLP also includes A 'Matrix' approach to licensing decisions (set out at 3.4 of the SoLP). It provides a firm framework of what the licensing authority would like to see within its area and indicates the likelihood of success or otherwise to investors and businesses making applications.

All applications within the CSA will be scrutinised against the Matrix Approach meaning that applications which do not comply with the Matrix are likely to be refused (and the Licensing Authority acting as a responsible authority will generally make relevant representations objecting to the grant of a licence in these circumstances). (SoLP 3.2.3). Even where appropriate measures drawn from the appendix have been proposed. Satisfying the requirements of the appendix will not be considered exceptional circumstances capable of justifying a departure from the Matrix. (SoLP 3.2.4)

All applications will be considered on their own merits. (SoLP 3.2.7) The Matrix Approach will not be applied inflexibly, but the Licensing Authority will only depart from it in exceptional circumstances. (SoLP 3.2.3)

With regard to the Matrix approach, the applicant has failed to address this, and I cannot see any offered exceptional circumstances for departing from the Matrix, where it clearly indicates that 'fast food premises' in the CSA should not be granted.

I make this representation on behalf of the Licensing Authority in its function as a guardian of our Statement of Licensing Policy as the application made is contrary to policy. The Matrix approach states no new fast-food premises should be granted in the CSA. Granting this application is likely to add to the additional burdens and problems within the CSA. I would

therefore ask that the Panel determine the outcome of this application and whether the applicant has demonstrated exceptional circumstances to depart from our policy. In the absence of exceptional circumstances, I invite the Panel to refuse the application.

Yours sincerely

REDACTED

Senior Licensing Officer

Licensing Team

Annex 1 – Email to applicant on 23rd February 2026 invalidating original application:-

From: EHL Licensing **REDACTED**

Sent: 23 February 2026 14:35

To: **REDACTED**

Cc: EHL Licensing **REDACTED**

Subject: Premises Application for Wimpy, West Street, Brighton

Importance: High

Good afternoon,

Thank you for submitting your application for late night refreshment at Wimpy, West Street, Brighton for late night refreshment until 5am daily.

I am writing to let you know that your application is not yet valid, and we cannot start the consultation period until we receive some additional information. Below is a simple summary of what is missing and why.

1. Your application goes against our [Statement of Licensing Policy \(SoLP\)](#) for the City Safety Area (CSA)

Your premises is within the CSA, where the council's policy is much stricter because of higher levels of late-night crime, disorder, noise, and public nuisance. Under this policy (the matrix), fast food and takeaway premises in the CSA are normally expected to close by 11pm, unless you can show exceptional reasons why later hours would not add to the problems in the area.

Because you are asking to open until 5am, which is far beyond the usual policy limits, we need strong, detailed justification explaining how you will prevent crime, disorder, noise, and safety issues.

2. The plan of the premises is missing

A premises plan is a legal requirement under the Licensing Act 2003.

We cannot validate the application until you submit a plan showing:

The layout of the premises

Entrances and exits

Areas where hot food will be prepared and served

Any customer areas (inside or outside)

3. We need more information about how you will keep people safe

Our updated licensing policy places safety as a central priority. Because your premises is in a high-risk area and you are requesting very late hours, you must provide extra information showing how you will manage:

Customer behaviour and dispersal after late hours

Noise and disturbance

Crime and disorder risks

Staff training, CCTV, and any security arrangements

The Licensing Act 2003 requires every applicant to show how their business will promote the **four licensing objectives**. These are the foundation of all licensing decisions, and your application must demonstrate how you will meet them—especially as you are applying for very late hours in a high-risk area.

To make your application valid, please send us:

- A compliant premises plan, and
- Detailed written information within your operating schedule explaining why you believe 5am hours are appropriate within the CSA, and how you will address the safety and nuisance concerns highlighted above and how you believe that your application is an exception to the policy.

Prior to resubmitting, I would also strongly advise you to contact the Police Licensing Unit and we work very closely with them and other Responsible Authorities when applications are submitted. Their email address is: **REDACTED**

Once we receive this and the appropriate fee, your application can be validated, and the formal consultation process can begin.

Under the Licensing Act 2003, a blue public notice (Regulation 25) has to be displayed from the day after the application is submitted for 28 consecutive days **and** an advertisement in a printed local newspaper must be placed within 10 days of the application being submitted to the Licensing Authority.

Once a valid application is submitted, there is a 28 day consultation period and that means that people and Relevant Authorities have 28 days to make a representation against the application outlining their concerns or support. If no representations are received then the application is automatically granted but if there are representations then the application will go before a Licensing Committee hearing where 3 licensing councillors will hear from all parties present and make the final decision.

On receipt of a new application, the Licensing Authority will always consider whether to make a representation and each application will always be looked at separately before making this decision, taking into consideration the information within the application and our own SoLP. **I would add, that for an application for late hours as you have mentioned applied for, it is highly likely that the LA will object to the application as it is against our policy and a panel hearing will be arranged.**

Regards

REDACTED | Senior Licensing Officer, Licensing, Regulatory Services | Brighton & Hove City Council, G39, Hove Town Hall, Norton Road, Hove, BN3 3BQ

REP C – EG validated on grounds of PPN

From: REDACTED

Sent: 10 June 2026 10:49

To: EHL Licensing REDACTED

Subject: Application 1445/3/2026/01575/LAPREN

Dear Licensing Panel,

My name is REDACTED

I've just been made aware of the application of Wimpy X Brighton to extend their hours into all night and I'm a little worried. I live REDACTED and I'm usually out at work during operating hours, but at the weekend I know the noise is enough to wake my flatmates and I up. Noise including the music from speakers REDACTED, the industrial fans REDACTED and the people standing outside. If it stays open til 5AM, you can see how bad sleep would affect our work and daily life.

We also already have people throwing up and collapsing on our doorstep after nights out and this would make for a bigger issue if the food and the congregating was was right next door.

I hope you take this into consideration when making the decision,

Thank you,

REDACTED

REP D – EG validated on the grounds of PPN.

From: **REDACTED**

Sent: 09 June 2026 16:40

To: EHL Licensing **REDACTED**

Subject: Comment on application 1445/3/2026/01575/LAPREN

Dear Licensing team,

I hope you are well and thank you for the letter informing us about Wimpy X Brighton applying to stay open until 5am.

My name is **REDACTED** and I live **REDACTED**. Me and my flatmates are concerned about the increased levels of noise disturbance if Wimpy stays open till 5am, for the following reasons:

- Our **REDACTED** look out onto the outdoor area where Wimpy's extractor fans lead onto, these fans are loud but have been ok as they also generally are only on from 9:30am to 9pm when we're awake. However should they be on until 5pm this would disrupt our sleep. Extractor fans may seem like a small issue but they are in fact quite loud.
- The music they play inside the restaurant is audible in the **REDACTED** of our flat, currently it starts at roughly 10am and ends at 9pm, but having them on until 5am would also disrupt our sleep.

Thank you again for informing us about the plans, I would really appreciate it if you could take this into account when making a decision.

Kind regards,

REDACTED

REP E – EG validated on grounds of PCD and PPN

Police Station

John Street

Brighton

BN2 0LA

Email: REDACTED

10th June 2026

The Licensing Technical Support Officers
Environmental Health,
Brighton & Hove City Council,
Hove Town Hall,
Norton Road, Hove,
BN3 3BQ

Dear **REDACTED** ,

**RE: APPLICATION FOR A NEW PREMISES LICENCE FOR WIMPY, 34 WEST STREET,
BRIGHTON, BN1 2RE UNDER THE LICENSING ACT 2003.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder and public nuisance. We also refer to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy.

This is a proposed new licence application in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises sits within the City Safety Area (CSA) (as defined in the BHCC Statement of Licensing Policy) and seeks the following hours and licensable activities:

Late Night Refreshment (Both)

Every Day 23:00 – 05:00

Opening hours

Every Day: 23:00 – 05:00

Paragraph 3.1.2 of the Brighton and Hove City Council 2021 Statement of Licensing Policy states:

“The licensing authority, after careful consideration, has determined that the concentration of licensed premises in an area of the city centre is causing problems of crime and disorder.”

In accordance with the Statement of licensing policy this application would be a “NO”

Recent incident & crime statistics indicate that during the period of 09th June 2025 and 09th June 2026 there were 2151 incidents and crimes linked to West Street and surrounding side roads which Police have been called to. The majority of these incidents were recorded as violent crime (300) and thefts (503). There were also 125 Anti-social behaviour calls to police.

Time of Incident Near Premise

Time	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00	8	8	10	9	6	37	33	111
01:00	6	3	10	12	6	47	45	129
02:00	11	3	3	20	8	42	50	137
03:00	6	7	8	14	5	36	50	126
04:00	6	6	9	8	5	30	23	87
05:00	3	5	1	4	3	11	5	32
06:00	2	2	4	1	1	2	6	18
07:00	5	8	3	5	1	5	2	29
08:00	1	9	7	7	4	8	6	42
09:00	15	11	14	8	12	15	5	80
10:00	28	17	8	17	17	17	5	109
11:00	29	6	9	15	12	13	9	93
12:00	22	16	12	19	6	18	11	104
13:00	11	16	8	14	10	15	8	82
14:00	15	22	18	15	12	13	16	111
15:00	9	15	20	12	13	16	16	101
16:00	18	16	20	15	10	19	16	114
17:00	19	12	12	14	14	19	6	96
18:00	6	8	9	12	15	22	9	81
19:00	9	20	6	10	12	19	7	83
20:00	11	7	14	12	10	16	9	79
21:00	12	6	11	7	22	27	3	88
22:00	10	12	12	6	21	33	7	101
23:00	12	6	12	14	32	33	9	118
Total	274	241	240	270	257	513	356	2151

As the table identifies, the hours applied for especially on a Friday or Saturday between 23:00 – 05:00 is a concern to Sussex Police because the area is already experiencing a high number of incidents which occur throughout the day and night. Permitting a premises to be open into the night time economy is likely to increase incidents in this locality. West Street is already a busy thoroughfare road to and from the city centre/ the beach and the train station

and is populated with many Licensed premises all varying from Pubs, off licences and Late Night Refreshment venues.

Whilst Sussex Police acknowledge that the premises application is not asking for the sale of alcohol, offering food and drink into the early hours encourages persons who may be under the influence of alcohol or drugs to remain in the area, which has a number of residential flats and properties. This increases the risk of crime and disorder, anti-social behaviour and public nuisance in an area that is already evidenced to be problematic.

The applicant may have been trading during a day, but they haven't traded along West Street during the Nighttime economy.

When considering the takeaway element, there is limited control the licence holder will have once the food and drinks have left the premises, especially when being served through a hatch. Consideration also needs to be given to the fact that the food and drinks will now be consumed in a public space during the Nighttime Economy. Additionally, no consideration has been presented as to where customers would queue or stand while waiting for food, and no suggestion of SIA officers being in place to manage this outside area.

The applicant did not pre consult with Sussex Police prior to submitting this application.

Although we are unable to support this application and are now seeking refusal.

The conditions being offered unfortunately do not mitigate fully the risks should this premises trade until 05:00am. They go some way to reduce incidents occurring within the premises itself but there are no conditions that can address the risks once customers have departed. The risks of them becoming a victim of crime or them partaking in criminal activity is one that will need to be dealt with by the emergency services.

Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,

REDACTED

Ops Planning and Events (inc. Licensing) Inspector

Brighton & Hove Division

Sussex Police

Please address all future correspondence to Brighton & Hove Licensing Unit, Police Station, John Street, Brighton, BN2 0LA.

